

NO. 21773

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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ROBERT DUCA, Plaintiff-Counterclaim Defendant-Appellee

vs.

PAULETTE PAONESSA, Defendant-Counterclaimant-Appellant

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APPEAL FROM THE FIRST CIRCUIT COURT  
(CIV. NO. 94-2152)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Ramil, and Acoba, JJ.)

Upon review of the record, it appears that appellant was ordered to show cause on September 15, 2000 why this appeal should not be dismissed for failure to file an opening brief within forty days after appellant's bankruptcy case was dismissed in December 1998. Appellant responded by moving for an extension of time to file her opening brief. The motion for extension of time was denied on November 28, 2000. The denial was without prejudice to a subsequent motion for extension of time that included notification of the dismissal of the bankruptcy case. No subsequent motion for extension of time to file the opening brief was filed. Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed.

HRAP 30.

DATED: Honolulu, Hawai'i, March 28, 2002.